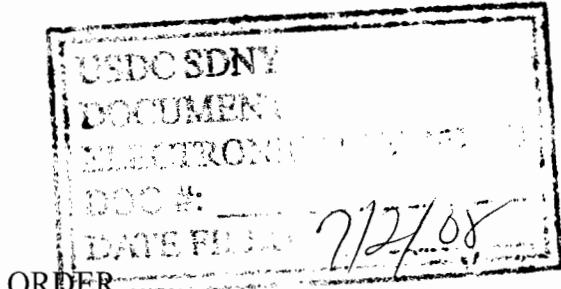


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ESTERVINA PAULINO,

Plaintiff,

-v.-



07 Civ. 5773 (LAK) (GWG)

COMMISSIONER GLADYS CARRION, et al.,
Defendants.

GABRIEL W. GORENSTEIN, UNITED STATES MAGISTRATE JUDGE

Defendants previously applied to the Court for a stay of discovery, which was granted by Order dated March 25, 2008. (Docket #24). One circumstance important to this ruling was the Court's then-held view regarding the extent to which defendants had shown that plaintiff's claim was unmeritorious. See, e.g., Computer Associates Intern., Inc. v. Simple.com, Inc., 247 F.R.D. 63, 68-69 (E.D.N.Y. 2007). For the reasons stated in the Report and Recommendation issued today, however, the Court's view on this question has changed and thus a stay of discovery is no longer warranted.

Accordingly, the stay imposed by the March 25, 2008 Order is vacated insofar as it pertains to the State defendant. The parties (including the City defendant) shall appear for a conference on July 10, 2008, at 9:45 a.m. in Courtroom 17-A to discuss a schedule for completing discovery in this matter.

Dated: New York, New York
July 1, 2008

SO ORDERED:

GABRIEL W. GORENSTEIN
United States Magistrate Judge